

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for theFILED
WILLIAMSPORT

OCT 20 2022

PER EA
DEPUTY CLERKPaul Surine
Petitioner

v.

Case No. 4:CR-07-304-01
(Supplied by Clerk of Court)Warden Tompson
Respondent

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Paul Surine
(b) Other names you have used: none N/A
2. Place of confinement:
(a) Name of institution: Allenwood complex Low
(b) Address: P.O. Box 1000
White Deer PA. 17887
(c) Your identification number: _____
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: Williamsport PA 17701
240 W 3RD ST Ste 218
(b) Docket number of criminal case: 4:CR-07-304-01
(c) Date of sentencing: 8-5-09
☐ Being held on an immigration charge
☒ Other (explain): 21.846 ctpwtd an Distribution of at
least 50gms and more of cocaine Base (crack)

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Decision or Action You Are Challenging

5. What are you challenging in this petition:

☒ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)☐ Pretrial detention☐ Immigration detention☐ Detainer☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)☐ Disciplinary proceedings☒ Other (explain): Public Safety factor

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Williamsport Federal courtPublic Safety factor(b) Docket number, case number, or opinion number: 4:CR-07-304-01

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Public Safety factor on a case I spent 10 months for on work release working at Tioga County Court house. you can not work with a Public Safety(d) Date of the decision or action: unknown

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not appeal: Did not no of the
Public Safety factor

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not file a third appeal:

N/A

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☒ Yes☐ No

If "Yes," provide:

(1) Name of court: Williamsport ~~Fel~~(2) Case number: 4:CR-07-304-01(3) Date of filing: unknown(4) Result: Time barred(5) Date of result: unknown(6) Issues raised: Drug weight, ineffective counsel and many others

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☒ Yes☐ No

If "Yes," provide:

(1) Name of court: Phila PA 19106(2) Case number: 4:CR-07-304-01(3) Date of filing: unknown(4) Result: Denied(5) Date of result: unknown(6) Issues raised: Drug weight, ineffective counsel and many others

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- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: Time barred

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes ☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
(b) Date of the removal or reinstatement order: _____
(c) Did you file an appeal with the Board of Immigration Appeals?
☐ Yes ☒ No

If "Yes," provide:

- (1) Date of filing: _____
(2) Case number: _____
(3) Result: _____
(4) Date of result: _____
(5) Issues raised: _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes ☒ No

If "Yes," provide:

- (1) Name of court: _____
(2) Date of filing: _____
(3) Case number: _____

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(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE:

Public Safety factor

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(a) Supporting facts (Be brief. Do not cite cases or law.):

The case That is yoused is one I spent 10 months in the Tioga County Prison on work release working working at The Tioga County Court House. I had no public Safety factor Then or I could not of work at the Court House or been on work release.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes☒ No

GROUND TWO: F.S.A. credits for good time off your sentence

(a) Supporting facts (Be brief. Do not cite cases or law.):

They say Im not Programing when Im working At The Unicor Prison Industry, when I was at The medium at West Virging Gilmer I was told That unicor was a Premium Program and not To worry about any other Programing. But this Place says Im not Programing. I do not under stand all this.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes☒ No

GROUND THREE: Robbery used to deny me any Reductions

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have never been charged with a robbery or convicted of robbery.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes☒ No

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GROUND FOUR: Drug weight

(a) Supporting facts (Be brief. Do not cite cases or law.):

Testimony of Mary K Gregus she bought 1 once a week for ~~6 months~~ 6 months There's 26 week at most in 6 months which is 26 ounces not the 4.0 kilograms They say. 26 ounces is not even 1.0 kilogram.

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: ~~Did~~ Did not have all The information to file alot of These Issues.

Request for Relief

15. State exactly what you want the court to do: To fix These Problems if its in There Power to do so Please and Thank you.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

10-14-2022

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 10-14-2022

Paul Surine #14126-067

Signature of Petitioner

Signature of Attorney or other authorized person, if any

INMATE NAME/NUMBER: Paul Survine # 14126-067
FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD Low
P.O. BOX 1000
WHITE DEER, PA 17887

RECEIVED
WILLIAMSPORT

OCT 20 2022

PER EA
DEPUTY CLERK



14126-067-
Office Of The Clerk USDC
Middle District of PA
240 W 3RD ST
Williamsport, PA 17701-6430
United States